

COPY OF PAPERS ORIGINALLY FILED

Attorney Docket No.: DIVER1350-6

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

Callen, et al.

Art Unit:

1631

Serial No.:

10/034,621

Examiner

Unassigned

Filed:

December 21, 2001

Title:

ENZYMES HAVING HIGH TEMPERATURE POLYMERASE ACTIVITY

AND METHODS OF USE THEREOF

BOX MISSING PARTS

Commissioner for Patents Washington, D.C. 20231

RESPONSE TO NOTICE TO FILE MISSING PARTS

Sir:

In response to the Notice to File Missing Parts of Application mailed March 28, 2002, enclosed are:

- 1. A copy of the Notice to File Missing Parts of Application (1 pg.);
- 2. Declaration for Parent Application no. 09/656,309 (3 pgs.);
- 3. Check in the amount of \$872.00 (check no. 508179); and
- 4. Return Postcard

CERTIFICATION UNDER 37 CFR §1.8

I hereby certify that the documents referred to as enclosed herein are being deposited with the United States Postal Service as first class mail on May 3, 2002, in an envelope addressed to: BOX MISSING PARTS, Commissioner for Patents, Washington, D.C. 20231

Lisa Corrales

In re Application of: Callen, et al.

Application No.: 10/034,621 Filed: December 21, 2001

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PATENT Attorney Docket No.: DIVER1350-6

Applicants claim small entity status in the above-identified application. Pursuant to 37 C.F.R. § 1.27, a verified statement claiming small entity status is not required.

The filing fee has been calculated as follows.

	Number Filed	Number Extra	Rate		Fee	
			Large Entity	Small Entity	Small Entity	Large Entity
Total Claims	27-20	19		\$9	\$171	
Independent Claims	6-3	3		\$42	\$126	
Multiple Dependent Claims Presented: ⊠Yes □ No				\$140	\$140	
			BASIC FEE		\$370	
			TOTAL FEE		\$807	

Enclosed is a check in the total amount of \$872.00, which includes \$65.00 for the surcharge fee, \$370.00 for the basic filing fee, \$171.00 for the 19 additional claims, \$126.00 for the 3 additional independent claims and \$140.00 for 1 multiple claim. The Commissioner is authorized to charge any additional fees or credit any overpayment, to Deposit Account No. 50-1355.

Respectfully submitted,

Date: May 8, 2002

Lisă Haile, J.D., Ph.D. Registration No. 38,347 Telephone: (858) 677-1456 Facsimile: (858) 677-1465

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PATENT DOCKETING

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GRAYCARY/T.ELLIS United States Patent and Trademark Office

COMMISSIONER FOR PATENTS UNITED STATES PATENT AND TRADEMARK OFFICE WASHINGTON, D.C. 20231 www.uspto.gov

APPLICATION NUMBER

FILING/RECEIPT DATE

FIRST NAMED APPLICANT

ATTORNEY DOCKET NUMBER

10/034.621

12/21/2001

Walter Callen

CONFIRMATION NO. 9848

Date Mailed: 03/28/2002

FORMALITIES LETTER

OC000000007732852*

28213 GARY CARY WARE & FRIENDE 4365 EXECUTIVE DRIVE **SUITE 1600** SAN DIEGO, CA 92121-2189

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

05/20/2002 BABRAHA1 00000094 10034621

370.00 0P 65.00 0P 171.00 0P 126.00 0P 140.00 0P 01 FC:201 02 FC:205 03 FC:203 04 FC:202

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing. Applicant must submit \$ 370 to complete the basic filing fee for a small entity.
- Total additional claim fee(s) for this application is \$437.
 - \$171 for 19 total claims over 20.
 - \$126 for 3 independent claims over 3.
 - \$140 for multiple dependent claim surcharge.
- · The oath or declaration is missing.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

 To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(I) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

The balance due by applicant is \$ 872.

A copy of this notice MUST be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE